

Press Release

TWO INDIVIDUALS PLEAD GUILTY TO ILLEGAL ARMS TRAFFICKING

October 6, 2010

FOR IMMEDIATE RELEASE

Wifredo A. Ferrer, United States Attorney for the Southern District of Florida, Anthony V. Mangione, Special Agent in Charge, U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations, Miami Field Office, and John F. Khin, Special Agent in Charge, Defense Criminal Investigative Service (DCIS), announced the October 5, 2010 guilty pleas of defendants **Joseph O'Toole**, 79, and **Chanoch Miller**, 53, to charges of knowingly and willfully conspiring to export AK-47 assault rifles from the U.S. to Somalia, without first having registered with and obtained a license from the U.S. Department of State, Directorate of Defense Trade Controls, in violation of the Arms Export Control Act, Title 22, United States Code, Section 2778, and the International Trafficking in Arms Regulations, Title 22, Code of Federal Regulations, Parts 120-130.

According to the indictment and statements made during the plea hearing, beginning in April 2010, Chanoch Miller, an Israeli national, contacted Joseph O'Toole, a former U.S. Air Force Colonel F-4 Fighter pilot and U.S. citizen, to arrange for the transportation of approximately 6000 fully automatic AK-47 assault rifles from Bosnia to Somalia. The defendants used false End User Certificates to conceal the fact that the weapons were ultimately destined for Somalia. To further facilitate the transportation of the AK-47 assault rifles, Joseph O'Toole contacted an individual who, unbeknownst to Toole, was working undercover for ICE Homeland Security Investigations and the DCIS. As the investigation progressed, Miller agreed to purchase 700 fully automatic AK-47 assault rifles from the undercover. These assault rifles were to be shipped from the U.S. through Panama and then to Somalia. Miller paid \$116,000 to the undercover as partial payment of the transportation costs and commissions to O'Toole for the shipment of the 700 assault rifles.

O'Toole and Miller each face a term of up to 5 years in prison, followed by a term of three years of supervised release, the forfeiture of \$116,000.00, and a possible fine. Sentencing has been scheduled for Tuesday, December 14 in U.S. District Court in Fort Lauderdale.

Mr. Ferrer commended the investigative efforts of ICE's Homeland Security Investigations in Ft. Lauderdale and the Defense Criminal Investigative Service. The case is being prosecuted by Assistant U.S. Attorney Michael Walleisa.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at <http://www.usdoj.gov/usao/fls>. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at <http://www.flsd.uscourts.gov> or on <http://pacer.flsd.uscourts.gov>.

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